

TOWN OF FOXBOROUGH
SELECTMEN'S MEETING
MINUTES
JULY 21, 2015

Members Present: James J. DeVellis, Chairman
David S. Feldman, Vice Chairman
Christopher P. Mitchell, Clerk
Virginia M. Coppola
John R. Gray

Others Present: William G. Keegan, Jr., Town Manager
Ms. Mary Beth Bernard, Assistant Town Manager
Mr. Bob Correia
Ms. Lynda Walsh
Firefighter Paul Belham
Chief Hatfield
Jess Enos, NPS, LLC
George Bell, Stadium Advisory Committee
Attorney Frank Spillane, Waxy O'Connor's
Mr. Paul McKenna, Waxy O'Connor's
Attorney Matthew Porter
Mr. Bhartben Patel, Foxboro Wine & Spirits
Mrs. Patel, Foxboro Wine & Spirits
Mr. Mathew Caughlin, Capriotti's
Mr. Stephen Angelo, Beacon Compassion Center
Ms. Rina Cametti, Beacon Compassion Center
Mr. Anthony Ciavattone, Beacon Compassion Center
Mr. Edgar Ballenas, Beacon Compassion Center
Mr. Stephen O'Reilly, Beacon Compassion Center

The meeting was brought to order at 7:00 p.m. by Chairman James J. DeVellis

Mr. DeVellis opened the meeting.

Mr. DeVellis read the agenda.

7:00pm – Citizen's Input – No one was present.

7:02pm – Selectmen's Update – Mr. DeVellis

Mr. DeVellis informed everyone that the Jaycees work very hard with the businesses to bring in concerts on the Common. They are on Thursdays at 7:00pm.

There was an accident on the Common and there were four sections knocked down. This is under control and will be fixed as soon as possible.

The Farmer's Market is open from 10am-6pm every day and is located on Walnut Street and Rt. 140. The money goes to great causes such as the Discretionary Fund and it helps families in town. This is a great program and they are all volunteers.

This is a horrific intersection and there have been a lot of accidents there. Mr. DeVellis is asking the Selectmen through the Town Manager if they could have the DPW Director appear before the Board either at the next meeting or the one after to come up with a plan and have the Selectmen draft a letter to the District and Mass Highway and have a meeting with them.

The Economic Development Committee they posted and had a few committee members that were interested in it and he thinks they had a good showing but if there are people out there (lawyers, businessmen or marketing people) that are interested in joining an economic development group they can extend it to get a broader group. Go to the website or contact the Town Manager's office through that staff if you are interested.

Tomorrow night there is the Opioid Narcan session at the Universalist Church at 7:00pm. If you have heard of Narcan our public safety officials and school nurses are carrying it now and it is administered to someone that is having an overdose. This is a worthwhile hour of your time.

Ms. Coppola wanted to remind everyone August 4, 2015 they will have another ceremony to honor Purple Heart recipients. They have at least six names that will receive a certificate. Purple Heart stamps are available at the post office and they are available all year round but it is really nice this time of year especially as the Purple Heart Day is approaching. This is our small part to honor our Purple Heart recipients and it is a reminder how fortunate we are to live in this country and people have actually sacrificed a lot for us to be able to do that.

7:05pm – Bob Correia – Discussion on Potential Fall Special Town Meeting

Mr. DeVellis stated that a while back as a follow up from the horrific actions of Bill Sheehan systematically molesting children over the 70's and 80's the town stepped forward and created a Sexual Abuse Awareness Committee that is now in our bylaws. It is a law in Foxborough that this committee has to be formed and staffed by a well versed group throughout town in all different sectors and they have been doing a fantastic job over the last couple of years. They have trained coaches, parents, and town staff and there is a rhyme and reason about protocol now for any activity that is on town property. Between a couple of years ago and now it is 180 degrees on awareness. The one thing that they noticed at the beginning were reporting laws. The reporting laws in Massachusetts there are a lot of gray areas and loop holes so the Sexual Abuse Awareness Committee has been working with Jay Barrows to put together a Home Rule Petition that gives Foxborough a little more depth on who reports, why they report and the training protocol. The training is going to go through this committee.

Mr. Correia stated with the Home Rule Petition they are trying to fill in a couple of areas in the law and one is some of the groups that aren't covered at all such as playgrounds, zoos, libraries

and in terms of churches only the paid people in church have to be reported. 90% of the churches, most of the people that teach Sunday school, aren't paid as well as some of the ministers.

The law calls for mandatory training but it doesn't tell you what that is. The Sexual Abuse Awareness Committee will tell you what those trainings are going to be and it will be on their website or go to their training class; which they have 4-5 large ones a year. Anyone that wants to be trained, come down and work with the group. The school has 6-8 trainers and they have 4-5 themselves.

They have trained over 1,000 people so far in this town and this is the most of any town in the United States. Everyone that has received their training has been more than enthusiastic in taking it.

It is not just for their job; it is for them as parents they bring it home and bring it to different groups they are in charge of. It is something that doesn't go to waste.

Ms. Walsh stated that she thinks Foxborough again can take a leadership role for the Commonwealth and start to have a better definition of what is already in the law. It is a great opportunity to become a leader in Massachusetts. Representative Barrows and Senator Timilty are on board with this so they just need the Board of Selectmen to put it on the warrant.

Mr. DeVellis stated that if it is okay with the Board they have a rolling list in front of them of potential warrant articles that is going to come to the special or regular town meeting and if the Board of Selectmen would sponsor this Home Rule Petition, move it forward and if and when the town approves then it will go to the legislation helped by State Senator Timilty and Representative Barrows and once they approve it then it would be final.

Mr. DeVellis asked if there was any objection from the Board in putting this on as a potential warrant article for the Fall Town Meeting. Mr. Gray asked if they should have the language of the warrant article first. Mr. DeVellis stated the article handed to the Board today says "draft" and Representative Barrows and his aides are working on it so it is going to be revised.

Mr. DeVellis stated that MGL Chapter 119, Section 21 the language is provided to them so they can talk about it tonight or get comments back through their Town Manager. Mr. Gray stated to get the topic on the warrant by all means but he doesn't know if they can get it on the warrant without seeing a final draft. Mr. DeVellis stated that it isn't going on the warrant; it is going on a list to be considered as it goes forward. Mr. Keegan stated the concept is whether or not the Board would be willing to sponsor this article whatever form it finally comes in.

Mr. Mitchell asked how often do they recommend taking the refresher course. Ms. Walsh stated that won't be a 2 hour session, it will be whatever they decide. This year it may be just a pamphlet that they hand out to everyone notifying them of anything new or just to keep people aware.

Mr. Mitchell stated that he went through the initial Darkness to Light training and asked if there is a data base anywhere for those people who have taken the training. Ms. Bernard stated yes. Mr. Mitchell asked if he would be notified every two years that he needs a refresher course or how would that all work. Ms. Walsh stated publicity-wise you will see an announcement that this is the newest training.

Ms. Bernard stated that if you were on a board or committee list or if you were a current employee you would get a memo and be notified based on what group you are a part of. Ms. Walsh stated that they have a listing through the YMCA; they have a database of everyone that has taken the training.

Mr. DeVellis stated if there were no objections they will put it on the list and every week there will be an updated list and different opportunities.

7:17pm – Paul Belham – New Firefighter

Chief Hatfield stated he was honored to introduce their new Firefighter/Paramedic, Paul Belham. He is a lateral transfer from another department. They had an outstanding process for the department to look at some really great candidates and they feel they got the cream of the crop of the group. They will do their normal ceremony as they have done in the past but they will have a pinning ceremony especially for their new Administrative Day Captain and Lieutenants along with PJ. He has only been on his orientation for two days and will start his shift on Friday.

Mr. Keegan stated the skill level this gentleman offers is the best.

7:19pm – Foxboro Jaycees – Night Out Against Crime and Drugs – Lynda Walsh

Ms. Walsh stated that they were there two weeks ago and she gave an introduction of what they wanted to do on the Common. This year they are hoping to get more involvement. It will still be fun for the kids but with the situation of the Opioid epidemic and cars and homes getting broken into they are hoping to get more enlightenment to make people more aware of their surroundings. They will have various people and activities such as (face painting, petting zoo, bounce house, Pat Patriot, Norfolk D.A., K-9 Marley and Officer Chamberlain as well as Drug and Sharpies Take Back).

Chief O'Leary stated that Ms. Walsh has arranged an exceptional program thanks to her efforts with the Jaycees to have another night out on the Common. Chief O'Leary thinks it is essential in the time of potential medical emergencies caused by drug overdoses as well as criminal activity that is the direct result of those individuals that are addicted to drugs that we as a community come together to have more information about preventing ourselves from being victims as well as providing services and help the parents that are dealing with perhaps someone within their family being addicted to drugs. It is showing community effort across the board because of the work that the Jaycees and several of the other groups that were mentioned tonight are doing to keep Foxborough safe and progressive. Chief O'Leary lauds the efforts that the Jaycees have consistently made since they first initiated this program back in the late 1980's and early 1990's.

The hours are 6:00pm-9:00pm. The glow stick parade will start just after dark at about 8:15pm. This will be led by the police cars. Ms. Walsh stated that this is another thing that brings the community together for a night out and information for parents and residents that may not believe that there is a situation but when cars start getting broken into and things like that. When they did this before it was basically a big party but now we want fun for the kids but also information for the parents.

Chief O'Leary stated that Ms. Walsh had put in a proclamation request and he is hopeful that the Board will have that proclamation.

Mr. DeVellis stated if you have time August 4, 2015 it is definitely worthwhile coming out.

7:25pm – NPS, LLC – Public Hearing – Ed Sheeran 2015 Tour Concert., Jess Enos, NPS, LLC and George Bell, Stadium Advisory Committee

Christopher Mitchell read the public hearing notice.

Ms. Enos stated they are requesting an event license for the Ed Sheeran Tour Concert on September 25, 2015 with a 7:00pm start time. The three price points are \$99, \$79, and \$52. The most significant aspect of this show is that this is the first NFL stadium show Ed Sheeran is playing. He shares a management team with Taylor Swift and Kenney Chesney and he is following a very similar model that Taylor Swift did back in 2010.

He opened for Taylor Swift in 2013. He has two opening acts and he does not have a band. It is like a James Taylor performance.

They have sold 34,000 tickets and haven't gone into 300 level yet. It is by design that they have been selling the floor, 100 level, etc., before going to the 300 level because they are gauging the demand for this artist.

His demographic is far reaching and has a large college student population and they hope they see a bump and are hoping to open 300 level.

They will work closely with public safety officials.

The NPS representative went to some of his shows to see how it operates and what type of crowd. It is a low key event.

Mr. DeVellis stated that they have correspondence from both Chief's and Board of Health.

Mr. Bell stated they reviewed it and it is an in-house event. The sound production is great. It is a busy weekend with different events from Friday-Sunday. Chief Hatfield set a staffing level of either 2-3 depending on whether they go to the 300 level. The police are working on replacing a couple of tactical vehicles up at the stadium and that won't be an issue. They voted unanimously to recommend approval.

Mr. Mitchell asked about Ms. Clifford from the Board of Health wanting updated contact lists for general emergencies and sewer treatment. Jess stated they sent the contact list and porta-potty list.

Mr. Feldman asked if Ms. Enos knew what the attendance was at Wimbley, she stated he sold out three nights.

Ms. Coppola asked how the tactical vehicles are progressing. Chief O'Leary stated it is in progress and they should have them by this event.

Motion by Christopher Mitchell to close the public hearing. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to approve the Ed Sheeran Concert for September 25, 2015. Seconded by John Gray. **Vote 5-0-0**

7:20pm – NPS, LLC – Taylor Swift Concert - Extension of Hours

Ms. Enos stated they had their first advance meeting with Taylor Swift's touring staff Thursday morning and they let them know that her show is running up to 11:40pm. They know they have the town curfew of 11:15pm so they are requesting an additional 25 minutes so she can run the show until 11:40pm. When they licensed the event she had two opening acts and between the time of the license and now she has added a third act. . The show doesn't start before 7:00pm so it bumps everything back by that additional 25 minutes. Nationally she has been running around the same time table in all of her markets and some of which have needed to seek curfew extensions and a lot of them don't have curfews within their own municipalities.

Ms. Enos stated out of all the applications they have put before the Board this summer this has the best behaved crowd. From a public safety standpoint it has presented no significant issues.

Mr. DeVellis asked Mr. Keegan if they have any outstanding issues with police, fire and safety. Mr. Keegan stated that he spoke with their public safety team last week asking them if they had any concerns about the extended time and they did not. They did state that this is a low key crowd and doesn't present a particular problem. The only concern he did here is that late in the night the sound would have to be monitored very carefully so they don't run into an issue without sound effects. Ms. Enos stated that the event will be staffed by the Stadium Advisory Committee and they will be monitoring the phone line and they haven't broken their sound ordinance since they have been in the new facility.

Mr. DeVellis asked for discussion. A resident stated that she understands that they may be a low key crowd but she is a bit concerned because there is a regulation in place for a reason and changing that precedence is a slanted scale so why can't she start 25 minutes earlier. Ms. Enos stated that they are mindful of the fact that they are in a residential community and a tour of this nature is incredibly produced and especially this tour in particular; she has a lot of lighting elements and every fan that comes in has a light up bracelet distributed and it coordinates with

certain songs and it is very much a part of the interactive fan experience and they simply can't start any earlier and still have the darkness that is required to execute the event.

Mr. DeVellis stated the sliding scale of precedence there is no discussion of other concerts going past the time. Ms. Enos stated there is not. This is just one instance for these two specific shows. This is the first time she has had to come before the Board with an extension request

Mr. Gray stated that when they have amendments that were taken inside a public hearing can they make a decision outside a public hearing because the notifications to the public are different and this woman is an abutter. Mr. Keegan stated that he doesn't have an answer for him. They were just notified of this last minute and they would not have enough time to do a two week notification to be in compliance with that. Mr. Keegan consulted with counsel this morning and he didn't show any concern to Mr. Keegan.

Ms. Coppola stated the reason this is going the extra twenty-five minutes is because they have added a third opening act. Ms. Enos stated yes. When they got the request on Thursday they had said why couldn't you start earlier or cut one of your acts. Mr. DeVellis asked if the concert was this weekend. Ms. Enos stated yes.

Mr. Keegan stated they are doing the right thing doing this in the public eye and having a public discussion about this.

Mr. Keegan stated the Building Commissioner is here. Mr. Casbarra stated they are going through the proper process but be aware that between what they have now at 11:15pm and 11:40pm is encore time and the volume automatically goes up. Ms. Coppola asked if they could stipulate to keep volume down. Mr. Casbarra stated there is nothing he can do about it. Ms. Coppola asked if the Stadium could mention to the Taylor Swift people that the volume doesn't go up. Mr. Casbarra stated that they can ask but it isn't going to happen. Ms. Enos stated they have had a good working relationship with this management team and they are all well aware that Ms. Enos is sitting before the Board this evening. They know that the stadium was not pleased that they were being notified on Thursday morning that this was a request that needed to be made so in the event that the Board does grant the extension they will do absolutely everything in their power to make sure the volume doesn't adjust whatsoever from the time the set begins until the time that it ends. They don't think they will defy their request. Ms. Coppola asked if they could put this in writing that the Board of Selectmen graciously extend it but they expect that the volume not be raised in order not to harm the residents. Mr. Casbarra stated that this would be the proper wording that the volume does not increase but the Board has to be aware that the Town of Foxboro does not have a sound ordinance for these concerts. Mr. Casbarra goes by DEP regulations but because it is a licensed event by the Board of Selectmen it is exempt from noise regulations.

If a resident complains Mr. Casbarra will go out to the point of complaint and take a decimal reading and he will call into the stadium and state there is a violation but what may be a violation on the north side of town might not be one on the south side of town because the way the stadium is situated.

He will go to a residents house and it will sound like it is in their backyard and he will call it in. But honestly it is because a cloud moved, the wind changed or the song changed. It is just the mechanics of sound. If it is a clear night the sound doesn't travel that far but on cloudy nights it does but it reflects the sound.

Typically Taylor Swift doesn't turn it up during the encore but that is typically when the sound gets louder during an encore.

Ms. Coppola stated if they send a letter they will know that the Board of Selectmen are concerned about this.

Ms. Coppola asked if the satellite parking lot owners have been notified and the Wrentham and Walpole Police. Ms. Armando stated that all the Foxborough officials and the Walpole officials have been notified and they didn't hear anything back from Walpole and they got approval from both Foxborough Chiefs. Ms. Coppola asked if the satellite parking lot owners were aware of it. Chief O'Leary stated they had a meeting yesterday with all the satellite operators and they outlined in clear detail the potential of extended hours so those people in attendance and then follow up to their E-Mail system were notified of the extension.

Mr. DeVellis stated since the lot owners, the businesses, the stadium and the Board knows it, to the point where this was advertised for the initial application where the abutters and residents don't know, can we pay for an ad in the Foxboro Reporter that notifies the neighbors. Jess stated absolutely. Mr. DeVellis stated to use the same abutter list as the original application to notify them of the change and do that tomorrow.

Mr. Bell stated that it is important that it is one time based on the circumstances of a great past history. This could start making it creep to a later time.

Ms. Coppola stated if this happens again she would suggest that you say sorry the license was awarded for two acts. It is up to the Stadium yes or no if they accept the act.

Mr. Gray assumed Ms. Enos' response was "you are too late". Ms. Enos stated to them that this is a unique situation and be mindful of that.

Mr. Mitchell asked if all the other stipulations of the original application were good. Ms. Enos stated she spoke with Chief O'Leary in regard to alcohol sales today.

Motion made by Christopher Mitchell they allow the Taylor Swift concert to go to 11:40pm with the condition that the sound level does not increase during the encore, it stays the same through the whole show and that all of the abutters will be notified by mail and an ad in the Reporter. Seconded by John Gray. **Vote 5-0-0**

7:50pm – Waxy O'Connor's – Public Hearing – Attorney Frank Spillane, Paul McKenna

Mr. Mitchell read the public hearing notice.

Attorney Spillane gave a brief explanation of what has been going on for the last six months and they did that two weeks ago in more detail. The former and present manager could not be here tonight. As they indicated Mr. Karnbach had a number of meetings with their employees during the time he was there and he had meetings in January, March, and May with all the staff and went over different items with regard to their policy specifically with regard to their liquor service, they have an employee handbook which they updated including server training and responsible vending policy. Julie Doherty who is the new manager on the liquor license individually met with each employee to go over all of their responsibilities and went over server training and responsible vendor policy.

She had meetings with the staff on June 1 and June 22 and had a meeting on June 19 specifically for the door personnel which included hiring an additional new person for that and she has since put a doorman on Thursday nights which wasn't there previously. They talked about the meetings and the handbooks.

Attorney Spillane stated with regard to tonight with regard to a Petition for Transfer of Ownership, Transfer of Stock, and New Officers, Directors, Stockholders and LLC Manager. The owners currently are Mark Ruhleder, Norah McCauley and Paul McKenna. In the application they have indicated that it is 25%/25%/50%. The current managers are both Paul McKenna and Norah McCauley. In the packet there is an explanation of ownership which went detail by detail with regard to the transfers. The only transfer of any consideration was Gordon Hyde who was bought out for his 10% (\$50,000) and the three owners at that time. All the other transfers had to do with family transfers, Mark Ruhleder to his wife Norah McCauley and the McKenna family where Paul ended up with 50% of the ownership over time. The packet explains everything pretty thoroughly as to what happened over that time.

One item missing that is missing from the packet is the Certificate of Good Standing. They found out when they were doing the Change of Manager Ownership that there was some issues with the Department of Revenue; they found out that in 2013 4th Quarter employment filings were not made in Massachusetts and that is when there was a change of accountants within the entity. Everything was filed for Federal but for some reason Massachusetts wasn't done and they have since done that so they think it will take a few weeks. It has all been filed and paid it just takes time.

Motion by Christopher Mitchell to close the public hearing. Seconded by John Gray. **Vote 5-0-0**

Mr. Feldman stated that usually when Waxy's is in front of the Board there is something there and it's good to see that within the last six months it has been really quiet. They are supportive of Foxcares and that is also good.

Motion by Christopher Mitchell to approve the new Change of Officers and Board of Directors Members for Waxy O'Connor's. Seconded by John Gray. **Vote 5-0-0**

7:59pm – Foxboro Wine & Spirits – Public Hearing – Pledge of License and Transfer of License

Christopher Mitchell read the public hearing notice.

Attorney Porter stated that the Patel's are the sole owners and officers of Yugveer Inc. The specific plans for store would be for it to remain operating the way it has been for the last several years. There have been no structural changes. Ms. Patel will be the Manager of Record and they will be very hands on owners. Currently they own and operate a store in East Bridgewater which has been a very successful location for them. They have had no issues with the town; they are T.I.P.S. certified and are very well experienced in that field of liquor.

Mr. Gray stated that Ms. Patel stated that she would be on site 20 hours a week and would Mr. Patel be there as well. Mr. & Mrs. Patel answered yes. Mr. Gray stated so combined they would be there the majority of the time the business is open.

Mr. Gray asked if they would be hiring other employees if they are not there. Mr. Patel stated maybe part time but most of the time they would be there.

Mr. Feldman asked if they have had any past violations with the ABCC or within the town of East Bridgewater. Mr. Patel stated no.

Ms. Coppola asked if they would be splitting the management of the Foxborough store and the East Bridgewater store. Mr. Patel stated yes.

Mr. Feldman asked if they were aware of the Foxcares group that is in town, a group of liquor license holders in town. They support the community on liquor sales and distribution. Mr. Feldman stated that he will make sure they get in touch with them.

Mr. DeVellis asked if they were aware of Foxborough's local liquor regulations how did they find those and was there anything complicated. Attorney Porter stated that he will review them more thoroughly with them. Mr. DeVellis stated that they have zero tolerance for selling to underage children and historically they are not very forgiving it takes a long time to get back into good graces. There is a three strike rule and once you hit it, it's done. Foxborough is above and beyond what the state mandates requires. Ms. Coppola stated that is why Foxcares is an important group.

Mr. Keegan stated that the Board has a very clear message about the licensing aspect of alcohol. Foxcares was formed following a year where there were increased violations. This group has done a terrific job monitoring that.

Motion by Christopher Mitchell to close the public hearing. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to approve the All Alcohol License and Transfer of Foxboro Wine & Spirits. Seconded by John Gray. **Vote 5-0-0**

7:45pm – Olson Restaurant Group/Capriotti's – Change of Location

Mr. Keegan stated that Capriotti's was located on the same side of Patriot Place as Old Navy was located as well as Red Robin and that is where that section of the building was removed so they could build a new hotel. They are now located on the opposite side of the mall. That store has recently been completed along with where Moe's has been added and Red Robin is on the other side.

Mr. Gray asked if they are presently operating. Mr. Caughlin stated yes, they have been open for four weeks now.

Mr. DeVellis asked how they moved without the Board's approval first. Mr. Caughlin stated that they were told they had to be out in a rush.

Mr. DeVellis asked if there was no alcohol involved in this. Mr. Caughlin stated correct.

Mr. Mitchell asked how long he has been the manager. Mr. Caughlin stated he was in Mansfield for a year and a half and this location since the move.

Mr. DeVellis asked if the Board of Health knew they moved. Mr. Caughlin stated yes.

Ms. Coppola asked if they received an Occupancy Permit isn't that contingent on a Common Victualler's license. Mr. Keegan stated that they had a Common Victuallers license and this is something where they moved across the street so he will check on how the status on that happened but it must have been because they already had a license.

Ms. Coppola asked if this was the final business moving. Mr. Keegan stated yes.

Motion made by Christopher Mitchell to approve the Common Victuallers license for Capriotti's at the new address. Seconded by John Gray. **Vote 5-0--0**

8:10pm – Beacon Compassion Center – Marijuana Dispensary

Mr. DeVellis stated that this is under the Department of Health and Human Services a registered Medical Marijuana Dispensary application process and from his understanding this is the first step that applicants must provide a letter of support or non-opposition from the municipality where they are going to locate their Registered Medical Marijuana Dispensary.

Mr. DeVellis stated on a cautionary note a new process in the state regulations and law just got updated in May. This is a new process for the State and Foxborough. Mr. DeVellis is viewing this more as a presentation. They received the information packet and they have sent this to Town Counsel to review and come back to advise them on the process and what the town's obligation and responsibilities are for this.

This was an application/presentation that was prepared for James J. DeVellis and he asked them to address it to the Board of Selectmen and not just him and it also stated "Confidential Do Not Copy or Distribute". Anything that comes to the Board of Selectmen table will be copied and

distributed so he just wanted to say that before they made their presentation because if there is an anticipation of privacy, this is not private.

Mr. Angelo stated that there was an updated packet that was provided this afternoon that has that removed.

The panel introduced themselves to the Board.

Mr. Angelo stated he appreciates the opportunity to talk to the Board tonight about locating their marijuana dispensary in Foxborough.

In 2012 voters in Massachusetts overwhelming approved a ballot initiative to create a program to allow qualifying, registered patients suffering from a number of debilitating conditions to purchase medical marijuana from a medical marijuana dispensary set up in each county. The Department of Public Health was charged with writing regulations and overseeing the process. Since the initiative passed there have been delays, charges of conflict of interest and an overall flawed process. Now two years later only one dispensary in Salem is open.

Fourteen others are moving through the licensing process and many are expected to open this year. Because of these delays patients have not been able to purchase their medicine. That is why Governor Baker streamlined the process. Medical marijuana dispensaries can now be licensed and overseen like pharmacies are regulated in the state. **“Here in Foxborough the town voted in favor of medical marijuana at the Annual Town Meeting; the vote was almost unanimous to establish a zone within the town to locate a medical marijuana dispensary which has been approved by the state. Their proposed location is within that zone as approved by town.”* (***Point of Correction - This was actually a ballot question not a Vote at Town Meeting**)

Beacon Compassion Center was founded by Ms. Cametti and Mr. Angelo. Ms. Cametti and Mr. Angelo are lifelong residents of the area and care deeply about this community. They live in Walpole and they have been involved in community issues and causes for many years. Their roots are here and that is the main reason they chose to locate their dispensary here in Foxboro. For them this is deeply personal as both Mr. Angelo and Ms. Cametti have lost loved ones who could have been greatly helped by medical marijuana. Their mission is to ease the pain and suffering of patients with the use of medical marijuana. The vision of Beacon Compassion Center is to become a medical marijuana provider by choice by operating in a completely transparent manner and by being accessible and accountable to the community of Foxborough. To help them achieve that goal they have put together a team that has decades of experience in healthcare, public safety, and business which will allow them to open up one of the best if not the best dispensary in the state. Dr. Baillenas, their medical director, is a long time Massachusetts resident and an emergency department physician at Jordan Hospital in Plymouth and he is also an addiction expert who runs multiple clinics. He is a veteran who has proudly served our country.

Mr. Steve O'Reilly, Director of Security was a State Trooper for over 30 years and has worked in the Bristol County District Attorney's Office overseeing the drug and homicide units. He will

be working closely with law enforcement here in Foxborough on all security issues. Their top priority is protecting the safety of the public and their patients.

Ms. Rena Cametti, their cofounder has run a successful nationwide appraisal company for many years and has been involved in community service for decades.

Mr. Angelo's background is in technology and management and he spent many years working for NSTAR where he developed and put together their program and operations with regard to security and cyber terrorism.

In terms of their operation, their advisory team includes another medical doctor who was a finalist for the position of Surgeon General and was also a senior Advisor to President Clinton. They also have two individuals experienced in the medical cannabis industry on their team and three others with extensive experience and knowledge of the regulatory compliance and operation in healthcare and business and a cofounder of a healthcare company called ProCare treatments.

They are also working with consultants in this new industry with experience in setting up the best in class dispensaries in other states.

Their proposed location for this dispensary is 24 Washington Street. They chose this location for several reasons. It is within the approved zone and it meets all regulations for safe distance from schools, churches and parks where children congregate. It is also easily accessible for patients in the area. In terms of safety they will essentially be demolishing the building and have a new construction process in place of the existing building which is a pretty significant eyesore in the community. They will be installing a state-of-the-art security system with 24 hour video surveillance and there will be no entrance without proper identification and a real-time computer tracking system monitored for all transactions.

They look forward to input from the Foxborough Police. They would like to consider themselves partners in Foxborough.

No patient will be allowed access into the facility without first showing proper identification which is scanned and validated on an online system through the State of Massachusetts.

After the facility is complete it will be a professional building but will look more like a clinic/medical building in a retail environment.

Beacon Compassion is also committed to giving back to the community and they are looking forward to discussing the details of a community's benefit package to support programs, agencies, and nonprofit organizations of the community's choice.

They share a mutual goal of preventing substance abuse and to that end they will remain deeply involved in programs and events that address those issues long after their doors are open.

Beacon Compassion is also committed to hiring local talent whenever possible.

There is a new application process underway; they submitted an application of intent to the Department of Public Health back on June 29, 2015 and is part of that process everyone on the team will go through an extensive background check and all of their operating and business plans will be fully vetted by the state.

One of the requirements of the licensing process is to submit a letter of support of non-opposition from the city or town where their facility will be located. The regulations stated that once a dispensary receives a letter of non-opposition or support from the town they will then be able to move forward to the siting phase.

In terms of timing they would anticipate once they receive the letter and the approvals needed by the town and the state, construction would be taking place over several months with a goal of opening Beacon Compassion Center and begin serving patients within approximately one year. They look forward to partnering with Foxborough during all phases of the project.

Dr. Baillenas stated that he was primarily involved with an emergency medical practice here in the state, 23 years total. He started in New York City as a resident in emergency medicine at an emergency hospital that dealt with a lot of trauma and they also dealt with a lot of substance abuse type of patients. Needless to say it has become prevalent in areas like Massachusetts and in fact it has reached a level that has been described as an area epidemic particularly in the opiate abuse area.

Dr. Baillenas does practice addiction medicine as well and he runs two Prodoxone clinics where they treat individuals who predominantly through no fault of their own were addicted to pain medications that were partly prescribed by physicians, however, he believes they may have been overprescribed and they as physicians don't really comprehend or understand that there is a genetic or predisposition to individuals that may actually become addicted to medications that are supposed to help them, like painkillers. It is unfortunate that it is not something that can be predicted and when they see patients they come to them and they are in pain and they try to address that issue. Some individuals can come off pain medications and they like to see them do that but individuals who are prescribed pain medications that go on to the addiction aspect of it becomes a whole different aspect of management and treatment. Fortunately there are medications that can be utilized and get them off of their addiction medications such as Methadone and presently Suboxone which he believes is more appropriate based on studies and based on the ability to have these individuals take an oral type medication and be able to function within their own area or of expertise. Dr. Baillenas deals with patients that are at professional type levels, i.e., such as nurses, paramedics, firefighters, attorneys, individuals who have this predilection to addiction for medications.

What is rather interesting in some of the research and studies that have come about in states that have had medicinal marijuana dispensaries the numbers are showing in those states individuals that have been addicted to opiate abuse there has been a decrease in the number of admissions that are required for those individuals who have some significant disease process from the opiates themselves either withdrawals or near death experience, one of those have actually died

from it. Not only has there been a decrease in the admission for those individuals on opiate abuse but there has also been a decrease on the abuse of opiates itself in the population.

As a physician in addiction medicine and running Prodoxone clinics he found another pathway of being able to decrease an epidemic in the sense of mortality in those individuals that abuse opiates and heroin. It involves not just the genetic aspect but there is a behavioral pattern that they see among those that develop addiction and they have the ability to treat those individuals with counseling and that is an important aspect of the whole treatment process of addiction medicine. Medicinal marijuana they will be able to give individuals that come to the facility education and pathways that can direct them to a clinic like he runs that will give them the ability to go on drugs, he mentioned Prodoxone and there is a new drug called Vivitrol and it is supposed to have some longer-term effects with regard to preventing withdrawal and eventually even take them off of the substance abuse medication.

There is enough studies and he wouldn't be part of a group that was prescribing something that he did not feel had some prevalence in the medical society. They are evolving and trying to figure out what would be the best manner and maybe is there a best ideal medication that is out there. At this present time they do have to look at what would be best offered and he thinks if there are indications that medicinal marijuana can do so then he is in favor of that. The tight control that will occur is quite important and certainly they don't want to be prescribing medicinal marijuana that can be used on the streets recreationally or sold. They take these same measures in their clinics as well. Being able to utilize what is at hand and what research has proven to be effective and not only that but colleagues that he works with that are in the field of oncology who take care of cancer type patients and knowing that they can rely on this type of medication where others have failed.

Working in the emergency department he has had individuals receiving chemotherapy type medications and their normal medications that help with their pain and break through medications that are supposed to control their vomiting and so forth when there is something that can be offered to them where they can be kept at home reasonably comfortable avoiding having to go to the hospital. This is being looked at as something favorable. He thinks the role that he has seen in the reports in dealing with those that suffer from chronic pain can take individuals off of pain medications and can be put on medicinal marijuana to control it. It is in intriguing type of substance and it has several components to it and the development of it is such that they have to pay close attention to the component that does relieve things as pain and inflammation and try to control the component of it that they see in some type of behavioral disturbance. There is a science involved with it and it is something that would be looked at in a way that would not unleash another type of substance that would be considered abusive among our society.

Mr. DeVellis stated that there is an informational packet that they will circulate through the Board of Health, and Planning.

There is an unusual amount of people here tonight so part of the Board's process is to listen and he is going to ask anyone that wants to speak to come to the microphone and be succinct and respectful.

Ms. Jean Sorrow, Franklin, MA. Ms. Sorrow stated that she is a medical marijuana patient advocate for parents with children with severe epilepsy, veterans with PTSD and heroin addicts who need a safe and effective pain medication for when they come off the opioids and benzodiazepines. In 2013 she was diagnosed with Stage 3 breast cancer and went through over 13 months of grueling treatments which she ended up with severe bone pain. They opened the Institute of Cannabis in Natick so she called them and told them she wanted to talk to them about the school. She took 12 courses and she found that a compound that comes out of it called CBD oil doesn't get you high and it will prevent her cancer from coming back. It also almost immediately alleviated her pain and now it is her lot in life to educate people about this drug. She has worked with the Governor on this and she has made speeches in front of work groups, etc. She really wants to encourage everyone to learn about this plant. They can take it out of the hands of drug dealers and put it in a tightly regulated dispensary. Ms. Coppola asked if Ms. Sorrow was associated with Beacon Compassion Center and she stated no.

Ms. Pike, 72 Prospect St. – Ms. Pike stated that she is aware that each county in Massachusetts is eligible to be a potential site for a medical marijuana dispensary. With Nantucket and Martha's Vineyard being the most challenging sites because it is illegal to transport over the waters of Massachusetts. Where do local seekers of medical marijuana go now for their supply. Mr. Angelo stated that right now they go to the one dispensary that is open or a caregiver system or patients can grow their own until the dispensaries are up. Another way is the black market. Ms. Pike asked if there was only one dispensary now. Mr. Angelo stated there is only one dispensary open and that is in Salem, MA. Ms. Pike asked how many sites they have already looked at. Mr. Angelo stated more than 20. Ms. Pike stated the site they are considering at the corner of North Street and Route 1 does not look like it could be renovated. If they received permission to locate there will they knock down the existing structure and clean up the site to EPA specifications. Mr. Angelo stated yes. They are in agreement with the owner that once they break ground there is a requirement for a licensed state professional to be on-site if there is any groundwork greater than 3 feet. That licensed state professional will be on-site and if any contamination is found that licensed professional will assess the situation and they will begin the necessary cleanup work. The present owner of the property is ultimately legally and financially responsible for the cleanup and they are under contract with them to clean it up. How do the neighbors feel about this and how does it affect their property values. Mr. Angelo stated that they have spoken to several abutters and individuals and businesses right in the general area and there has been nothing but support for their organization and for that location. Ms. Cametti stated that there are no studies right now but it would be a retail location so it would be no more a fact of a commercial influence to their property than it would be if a gas station was there. The property is in a residential area and it abuts commercial so it is considered adverse to the property to some degree. As far as just a medical marijuana dispensary, it would be noted but it would just be noted because it is commercial use.

Ms. Pike stated that she had voted against a dispensary for medical marijuana in Massachusetts as it is a gateway drug to stronger and more harmful drugs. Wouldn't our time be better spent lobbying the drug companies to produce medication with fewer side effects? Ms. Pike encourages the Board of Selectmen to vote no, non-support of this proposal of a dispensary in Foxborough also avoiding the problem of ineffectual regulations when we are already dealing with an epidemic of drug abuse.

Martha Slattery, 2 Joseph Road. Ms. Slattery stated that she has seen more than her fair share of patients suffering with chemotherapy. She understands as well if not better that there is a need for medical marijuana however her problem is where they want to put it. Ms. Slattery doesn't think putting it on the corner of Route 1 is an ideal spot. They have 68,000 people going to the stadium on occasion and going by this dispensary, it abuts the neighborhood who was clearly against casinos and she cannot imagine that they would want this in their neighborhood. She doesn't doubt the credentials of the people who would run this and she doesn't have a problem with people who acquire cards but unfortunately she doesn't think they could have picked a worse spot and she's a little surprised that if they are from Walpole, why aren't they putting one in Walpole. This goes above and beyond a high profile area to put something like this. Her biggest fear is that they will have people coming in and out of this facility to acquire medical marijuana and who would be watching them and following them and who is going to have access to them. Foxborough and the surrounding towns have more than their fair share of things to deal with. She is adamantly opposed to this being put on Route 1. If there was a break in, it is far away from the police station, so put it across from a police station so it can be monitored. She understands the need for it but this is not the place to put it.

Karen Wolfe, Resident of Foxborough. Ms. Wolfe stated that she doesn't want her 4 year old growing up in a neighborhood with a drug dispensary. Once a person gets that drug you don't know what they are going to do with it. She assumes the 20 locations they have already looked at they had been denied. A quarter of a mile the other way is Boyden Elementary School so there they have 500 children under the age of 10 and the drug dispensary will be within 400 yards.

Resident from Summer Street, Walpole. He stated that it was a heavily contaminated site and he believes the contamination from that site is seeping across the road. This is a serious situation and before they move they need to see how they can manage the contamination.

Resident from 11 McKenzie Lane. He stated that he has 20 years of experience in law enforcement working for the Boston Police Department and a couple of things the Board may want to look into is they have methadone clinics in the Back Bay area and they may want to ask the residents what they think of having a methadone clinic in their neighborhood. The bottom line is that there is a tremendous potential for abuse. He wants everyone to go home and Google how to get a medical marijuana card in Massachusetts and they will be shocked at how easy it is. He is for medical marijuana and he believes it does do a lot of good but it is that small percentage of people that abuse it and you all know there is going to be a small percent maybe 5% or 10% and that is going to lead to 80 to 200 people roaming the streets of Foxborough. It will be much more accessible to the youth of Foxborough and all of the other surrounding towns. He knows it does a lot of good but it doesn't belong in a small town like Foxborough.

Linda Kelleher, 39 Hayden Drive. Ms. Kelleher asked what hours the facility would be open. Mr. Angelo stated that there are requirements at the state and bylaw level in Foxborough as well so they would be looking at no later than 7:00pm so from 10:00am to no later than 7:00pm. There are specific operating windows identified in the bylaw for Foxborough. They would certainly adhere to that and they have no interest in being open at night. Ms. Kelleher asked if they would be open seven days a week. Mr. Angelo stated six days a week possibly seven days.

Ms. Kelleher asked if they would be open at every stadium event. Mr. Angelo stated they have not worked out those logistics yet on either side of that issue but if they are to proceed with this location that is certainly something they would build a plan around and have a position on. Ms. Kelleher asked how many people they would generally expect visiting their facility on a daily basis. Mr. Angelo stated between 30-40 visits a day and as the program continues to evolve they will expect that number to increase. Ms. Kelleher asked if someone could go in by appointment and then just stay outside their facility or do they have to leave the property. Mr. Angelo stated that they would have to leave the property. Ms. Kelleher asked how the product is dispensed. Mr. Angelo stated that there are many different ways to deliver the medicine and they will be exploring all of those many different ways. There is just with the plant material itself and then there is what is called marijuana infused products which could be a pill, patch or an edible item etc. They do have plans to develop marijuana infused products and none of this will be happening at the facility, that will be a strictly retail facility. Ms. Kilgore stated so people could be on their way to the stadium for any number of events and stop there. She would like the Board to find out about the dispensary in Salem and see how it is working and how the residents feel and take that research into consideration. Ms. Kelleher stated another concern is the traffic flow. It is hard enough to get out of the gas station, that corner is already pretty hectic.

Nancy Gallivan, Walpole. Ms. Gallivan stated that one of the questions that she had for the Board was that a few people have reached out to her because in addition to the Boyden Elementary School, they have two pre-schools that are even closer than the elementary school to that site. She wanted to know if the people in Walpole wanted to express their concerns what the best process for them to use is.

Mr. DeVellis asked them to be patient for a little bit as they are asking their attorney to review the application and to make available the applicable state laws that the Board can review and then they are going to meet with their attorney so they can be told what their responsibility roll is on this. The Board certainly wants to hear from their residents and they can hear from Walpole. What they are going to head towards is an E-Mail. All of the Board members E-Mails are online as well as phone numbers but they could streamline this process through the office as there are secretaries and that may be easier and they can disseminate that information to the Board. They are not going to vote on this tonight, they are taking it under advisement and then they will notify the public on the best way to submit their input.

Mr. Udden stated that he is an active volunteer in this town and represents only himself. His message is to ask the Board to give prudence and consideration and take as much time as possible to understand what appears to be at best confusing as a legal implementation of a law that has conflicts with federal regulations in ways they don't even know. In some cases it could incur costs to the town in legal matters that they don't even know of yet. Mr. Udden hopes that there is not a speedy knee jerk reaction to this. Mr. Udden has a great amount of compassion for those in pain and need but this is a business matter for the town. This compassion also needs to be exercised not for just those that voted in the state and in this town for this matter but for the many thousands that did not vote for it. Mr. Udden stated that it was presented that the town overwhelming voted at town meeting for a dispensary on Route 1 and he would like a little clarification on that this evening. They voted because they like to control where they put things

in their zoning on Route 1 and it wasn't as Mr. Udden understands it a call for a dispensary in their town.

Mr. DeVellis stated for example that no one likes adult entertainment centers so if it is not in their zoning or their zoning is silent on an adult entertainment center it can go anywhere through their process. What the town voted on was when the state voted approval of a marijuana dispensary it was silent in everyone's zoning, so the town said where is the best place to put it where it has the least impact to the schools, children and residents so some towns put it in a remote corner and Foxborough decided to put it on Route 1 where it was a highway. They certainly did not vote for a dispensary they voted to consider if someone came in for a dispensary where would it not go and where could it go.

Rachel Calabrese, Cross Street. Ms. Calabrese stated that her family has lived here for 16 years and she wanted to come and find out what this organization was about but one of the things that inspired her to get up and talk was that they had said that they had talked to the neighbors and he felt that everyone that they had spoken to were in full support of this. Her kids being the age that they are she gets to speak to a great deal of people in town and everyone that she had spoken to stated that they were appalled, horrified and scared and they didn't want this in their town. She was just asking people's opinions on things so she can't imagine who they would be talking to. There were a lot of people that wanted to come tonight but couldn't because of vacations and different things that are very much against this so when they say everyone they talked to was in full support kind of blew her mind a little bit. Everything she has ever done is work with kids and she feels right now in this day and age they do have a drug epidemic. They have a lot of kids and a lot of older people that are addicted to drugs and medical marijuana is a gateway to drug addiction and she would never want anyone that is suffering from cancer or anything else being able to not get this but she completely agrees with the police officer who stated that there is so much room for abuse and people bring this home and the kids get.

Robert Hatch, 49 Shoreline Drive. What he is hearing from a lot of people is that they are worried about people hanging around and buying marijuana when people come out. Route 1 is very commercialized and it is almost like people hanging around CVS on Route 1, it is a brand-new pharmacy and they go in for OxyContin and he knows today it is one of the biggest drugs that people worry about. He doesn't see people hanging around CVS to buy OxyContin. People can't go to a Patriot's game and say they want to get some pot; they have to have a license. These people do not issue the license, the state issues the license and they won't be giving anything to jeopardize their state issued license. You will not have people hanging around this and it is no different than going to the doctor's office. He knows people that use medical marijuana because they need it and if everyone says no how will they get it. He thinks just saying we don't want it in our town is being a bit blind sighted. There is a need for this.

Christian Papiano, Carpenter Street. She wanted to urge the Board and the Town Manager to use whatever discretion we have in the process as it develops and to give as much time and be as thoughtful as they can and please give the public the ability to be heard on this issue because the vote is misunderstood and misquoted in the paper. The vote meant what the vote meant, they want to limit the space not that they are in support of having a marijuana dispensary in town.

George DePina, 196 North Street. Mr. DePina stated that he thought the presentation was great. His front door is about 50 feet away from the dispensary spot and he was never approached. If there was a meeting with the neighborhood he was never made aware of it.

Mr. DeVellis asked if they had met with the neighbors. Mr. Angelo stated that they had taken possession of the property on July 1, 2015 and has a conditional lease right now so they were out there last Friday and he was approached by two businesses and a resident that lives two doors down and they received nothing but positive feedback. Mr. DeVellis stated that he is hearing it different now than how it was first stated. Mr. DeVellis envisioned that they had a formal meeting with the neighbors.

Mr. DePina stated that it is hard for him to envision 50 to 200 people a day coming out of that parking lot. He thinks it is great that the site will be cleaned up but he also doesn't think a medical marijuana dispensary is a good fit for that location. Obviously he doesn't want it two doors down from him but it is more than that. It is a highly visible spot, everyone can see it. He would ask the Board to reconsider or follow the process all the way with a neighborhood committee to try to make sure that everyone has a say in this.

Mr. Angelo stated this building will be nondescript and there will be no flashing marijuana lights or signs or anything like that. You will not know what this facility is unless you are specifically looking to go there to pick up your medicine. There will not be anything that screams or even whispers medical marijuana facility.

Mr. DeVellis wanted to take this under advisement so they can get some more information.

Mr. Gray stated that given the information here that there is a lot more information to come from their legal team and their own research and he would limit questions and wait until they have a little bit more education so they can ask better questions so he would end the presentation tonight and pick it up at another point. Mr. Mitchell agreed.

Mr. Feldman stated that this is not going to be a speedy process and there is a lot for the Board to learn and there is a lot of information the Board still needs to gather and they have to do their due diligence and they have to do their research to make an informed decision. They treat all applicants that way and they will no different but they received the packet a couple of days ago so there is a lot to go through and there are 52 pages of Massachusetts General Law on dispensaries that needs to be gone through so expect a fairly lengthy process.

Ms. Coppola stated that they were both from Walpole and she knows Walpole has an area set aside for this and it is on Route 1A which is an industrial area so why are they were coming to Foxboro. If the whole idea is that people will be seeking this out so it can be on Route 1A, it doesn't have to be on Route 1. Ms. Coppola's question to them is why don't they go to their own town of Walpole.

Mr. Angelo stated that it really is all about patient access; being able to serve a larger number of patients if you have easy access and an easier location to get to. If it is fifteen minutes off the highway down an industrial park road that is a very different story for patients than on a very

accessible road where more patients can get to. They started a process of starting out from home area and started looking out to their abutting towns and locations and zoning and property availability and all of those components, it is a very complicated issue. Each town is zoned fairly selectively for these facilities so his only opportunity is within that small zone to locate this business. He needs to find a property that is available in that small space and then he has to find a property owner or manager that is okay with the use. More times than not in their discussions and activities and the work that they have done on this, you end up with only one property per town that meets that criteria. They didn't come up with a property in town in Walpole that met all of that criteria so they expanded the circle and looked to Foxborough which met all of the criteria from their aspect for patient access, zoning, and property availability. They looked at four different properties along Route 1 and this was the only property that was okay for the use. You also have multi-tenant issues, so it is a very complex issue and it is not a matter of that they didn't want to do it in their home town.

Ms. Coppola asked if there were no properties available in the Route 1A area in Walpole. Mr. Angelo stated that at the time they looked there was no property available that the owner was okay with the use in the Town of Walpole so they expanded out their circle. Ms. Cametti stated that it also had to meet the criteria of whether it be retail type of facility, the size of building, because if they were just doing a dispensary there, they didn't need a 10,000-15,000 sq. ft. building. It was very selective in all the town for the properties that were available.

Ms. Coppola stated that the information that they gave the Board they had a number of stories from local newspapers and one of them was that at one point they were involved with the Bay State Medical Enterprise in Franklin and they had looked at a location in the Franklin Industrial Park and that didn't happen so can they explain why that didn't work.

Mr. Angelo stated that they were the first round applicants. They were known at the time as Bay State Medical Enterprises and they scored fourth highest of all applicants in the process in the State of Massachusetts through this process in the round one application. They needed to change their name from Bay State Medical Enterprises to Beacon Wellness Center because they had a trademark infringement claim against that name because of Bay State Medical Hospital so they changed it and they were told to change it again by the State because they didn't want the word "Wellness" in the name. He wanted to inform the Board that in their packets they would see all three names but they felt it was important to share all of this information.

They had scored very high and it was public knowledge with all the issues in the first round process and they were victims of that process; they had an individual on their team that had a background issue and it was not to the level that the State said was a disqualifying event and they got put into a non-publicly disclosed defer group. They were prescribed by General Counsel for DPH to swap that person out and replace that individual which they had done several times before them and many times after them but they fell into a very interesting window where the media picked up on a lot of different things and they referenced it in their presentation with regard to claims and the process of favoritism and things like that. Essentially what ended up happening was the state waited initially waited until June and then gave them a letter basically saying that they hadn't been selected at that time and they were invited to apply in the next round.

Ms. Coppola stated what was interesting was the information presented in regard to the Franklin site. One of the things that was mentioned was that it was a nice site because yes it was near Route 495 but also it was kind of out of the way; it wasn't like in your face which is totally different than the location now at the corner of Route 1 and North Street, that is in your face. It is not something where the Walpole location you would have to put in your GPS and have to seek it, it's not intruding and it's out of the way. Mr. Angelo stated that was also a cultivation center and a 7,000 square foot warehouse.

Ms. Coppola stated that they also referenced that eventually this will turn into a wellness center and from what she read in the regulations it can't be a wellness center. Ms. Cametti stated correct and that they had started changing the rules as it went along. Their intent was to have this as a wellness center, hence their name. They wanted to have a full wellness center in addition to having a dispensary and then the state came about a year after that article they cannot have a wellness center as part of it.

Ms. Coppola asked if it was out of the realm of possibility of them partnering with a real medical facility. Ms. Coppola stated that when you are talking medicinal marijuana she thinks people would be more comfortable if they were working out of a building run a hospital. Mr. Ciavattone stated that part of this is a zoning issue. It is virtually unprecedented for a medical facility to partner with a medical dispensary because these hospitals are federally licensed and usually receive federal grant money and where this is still federally illegal they would put their federal licensure and any federal funds that they receive in jeopardy by partnering with a state approved medical dispensary. It is virtually impossible to do that.

Ms. Coppola asked if they had said in their presentation that there was a state run dispensary. Mr. Angelo said state licensed. Mr. Gray said that they did say that. They said before Salem opened patients were able to get medical marijuana from somewhere. Mr. Angelo stated that there was a question from the audience that in lieu of dispensaries how are patients getting the medicine today. The approved methods today are that the patient grows their own medicine, caregiver grows for them or they go to the black market. Ms. Coppola stated that there is the oil.

Mr. Mitchell asked if they currently have a lease or do they own the property. Mr. Angelo stated that they currently have a lease; it is a three month lease with a three month extension for a contingency and then after that they need to make a decision and hopefully they come to some sort of a decision within that timeframe and their lease is contingent upon a provisional license from the state. That kicks into a long term "Evergreen Lease" on this property.

Mr. DeVellis called for a small recess.

Mr. DeVellis welcomed every back.

8:35pm – Town Manager Update

Mr. Keegan stated they are taking a much more active role in social media and they have met with a couple of volunteers to help them with that. They also had an intern from the Mass

Medical Association. This is the wave of the future and when both individuals reached out to them they opened their arms. You will see more of a presence on twitter.

They are looking at other venues as well. They are developing a more comprehensive strategy. They live in a society where people want answers. When they had water main breaks they got the word out on Facebook immediately. They are trying and would appreciate feedback.

Road Improvements – They will be paving Carpenter and West Leonard and if time allows will go from the Common to the state highway line which is near the Dairy Queen on Route 140. A detour will be set up at the Public Safety Building and down to Baker Street. They tried to execute this yesterday but it was too hot. Mr. Mitchell asked if they are removing one sidewalk. Mr. Keegan stated they are for now but it will be put back. He asked Mr. Keegan to talk to Mr. Hill to tell the residents when this is going to happen so they know. Chris Gallagher sent out a response and they will send that out to other people because it was a very good response. Mr. Mitchell stated that neighbors need to be notified somehow that it is going to happen.

Mr. DeVellis stated that when they put the pavement plan together they also talked about moratoriums so with the development that is coming on where the town is investing in new roadways they have a moratorium process so that once a new road is overlaid there is a moratorium so for a number of years you cannot cut into that road. He would be irate if he was a neighbor and his road was paved and he wanted to do a gas connection and I have to wait five years so there is a formal process for notification in the paper letting them know when the paving is going to be done to give them the ability to get the gas connections in before paving. Mr. Keegan stated that he will certainly have that conversation with Mr. Hill.

There is a group that is forming a vigil on Sunday night to honor the four Marines and one Seal that were killed. It will be from 6:00pm – 7:00pm on the Common. They encourage anyone that would like to attend to wear something red. Ms. Coppola asked if it was going through Mr. Johns and Mr. Keegan stated yes.

Mr. Keegan informed the Board about the damage on the Common. They need to be forged and will take some time to be remade. They have not heard the status of the individual that did this. They will fix as soon as they can.

Ms. Bernard stated there is a meeting Thursday with the Screening Committee for the Library Director and they will talk about narrowing down the candidate pool and are looking for an October date for the new director to start.

They will also be meeting with the Planning Board to talk about the actual job positing and the timeline for the Town Planner.

Mr. Keegan stated that they developed specifications for the pavilion and they are looking at others as well but they have come up with a possible structure that could be built on site. They can still do an old fashioned barn raising. They are working on the type of roof that they want to use. Mr. Keegan thanked Mr. Casbarra and Mr. Hill for moving this along.

Ms. Coppola stated they talked about the situation up at the stadium and there were going to be discussions about payment in lieu of taxes for taking the seats out and she wanted to know how that was going. They have asked for more consideration on this point. He thinks they need to be clear about what they are looking for in that particular area. He needs clear direction on what the Board wants. She is afraid that this is precedence setting and whatever is worked out in lieu of taxes has to be worked out now before there is any more construction. They didn't know that the Optum area was going to be put in so who's to say more seats won't be taken out. So where it was payment in lieu of taxes and was based on \$2.55 per seat the town is now down 1,800 seats roughly.. She is concerned that this is payment in lieu of taxes.

Mr. Feldman stated isn't the agreement with the town on guarantee a minimum. Mr. Feldman stated that there is a minimum payment and that is the payment in lieu of taxes. Mr. Keegan stated that the one thing they don't have control over is that if they remove seats they can do that.

Ms. Coppola wanted to see this as an agenda item. Mr. Feldman ask that before it gets put on as an agenda item the Board would like to see the agreement before the meeting about this.

Mr. Gray stated that whatever the language in the agreement is, the Board will live by that.

8:45pm – Action Items

Motion by Christopher Mitchell to approve and accept gift valued at \$250 of the JFK Memorial Pass from Foxboro Cable Access to the Boyden Library. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to accept the gift of \$350 from the Foxborough Against Diabetes to the Foxborough Police Department. John Gray seconded. **Vote 5-0-0**

Motion by Christopher Mitchell to approve the gift donation of \$100 to Animal Control from S.G. Boluch. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to approve the Board of Selectmen Minutes dated 3-31-15 as amended. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to approve the Board of Selectmen Minutes dated 4-7-15 as amended. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to approve the Board of Selectmen Minutes dated 5-12-15 as amended. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to approve the Board of Selectmen Minutes dated 5-19-15 as amended. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to approve the Board of Selectmen Minutes dated 6-23-15 as amended. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to approve the Board of Selectmen Minutes dated 7-7-15 as amended. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to approve the Board of Selectmen Minutes dated 7-14-15 as amended. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to adjourn at 9:59pm. Seconded by John Gray. **Vote 5-0-0**